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***Note: Any agenda item which has not been initiated by 11:00 p.m. may be continued to a subsequent City Council meeting.***

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
AGENDA  
MONDAY, OCTOBER 5, 2009  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**6:00 P.M. - CLOSED SESSION: See attached Closed Session Agenda**

**6:30 P.M. – REGULAR MEETING**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**REPORT OF CLOSED SESSION AGENDA:**

**APPROVAL OF AGENDA:**

**ADJOURNMENT MOTIONS:**

**PRESENTATIONS:**

1. **PUBLIC COMMENT:** This time has been set aside for members of the public to address the City Council on Consent Calendar items, other agenda items if the member of the public cannot be present later in the meeting at the time the item is heard by the Council and items of general interest within the subject matter jurisdiction of the Council. Although the City Council values your comments, pursuant to the Brown Act it generally cannot take any action on items not listed on the posted agenda. This comment period shall be limited to 20 minutes, with two minutes assigned for each speaker. Another period has been reserved for general public comment, later in the meeting, for those who could not be heard at this time. Testimony for public hearings will only be taken at the time of the hearing.

- 1.A. **PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN REMOVED FROM THE CONSENT CALENDAR:**

- 1.B. **PUBLIC COMMENTS, GENERAL INTEREST:**

**COUNCILMEMBER COMMENTS:** This portion of the meeting is set aside for general comments, announcements, requests of staff, and/or other issues of concern from members of the City Council.

**CITY MANAGER'S REPORT:** This time is set aside for the City Manager to update the Council on important items initiated by staff or previously requested by the City Council.

**FISCAL IMPACT ON CONSENT CALENDAR:**

2. **CONSENT CALENDAR:**

The following routine matters can be acted upon by one motion. Individual items may be removed by the Council for separate discussion. Items removed for separate discussion will be heard following New Business Items. The title is deemed to be read and further reading waived of any ordinance listed on the consent calendar for introduction or adoption.

- 2.A. **POSTING OF AGENDA:**

*The agenda for the meeting of Monday, October 5, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 1, 2009.*

RECOMMENDATION: Receive and file.

- 2.B. **APPROVAL OF MINUTES:**

*The City Council is requested to approve the minutes of prior Council meetings.*

RECOMMENDATION: Approve the minutes of September 21, 2009.

**2.C. DEMAND REGISTER NO. 635, RESOLUTION NO. 09-3907:**

*The City Council is requested to approve payment of bills due as presented by the Director of Finance.*

RECOMMENDATION: Approve Demand Register No. 635 and adopt Resolution No. 09-3907, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 635."

**2.D. TREASURER'S REPORT FOR JULY 2009:**

*The City Council will receive the Treasurer's Report for the month ended July 2009 pursuant to Section 53646 of the Government Code of the State of California.*

RECOMMENDATION: Receive and file.

**2.E CLAIMS ADMINISTRATION:**

*The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing.*

RECOMMENDATION: Deny the claim of Steve Fritschle and refer to the City's claims adjuster.

**2.F. ORDINANCE NO. 09-828 (2<sup>ND</sup> READING), RELATING TO THE PLANNING COMMISSION REVIEW OF URBAN INNS AND REHABILITATION INCENTIVES [T. WEST, C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 09-828, a proposed ordinance approving Zoning Text Amendment 2009-001 relating to the Planning Commission review of urban inns and rehabilitation incentives.*

RECOMMENDATION: Waive further reading and adopt Ordinance No. 09-828, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2009-001 RELATING TO THE PLANNING COMMISSION REVIEW OF URBAN INNS AND REHABILITATION INCENTIVES."

**2.G ORDINANCE NO. 09-829 (2<sup>ND</sup> READING), TO PERMIT THE SALES, SERVICE, AND CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY) AS AN ACCESSORY USE TO LIVE THEATERS WITH A MINOR CONDITIONAL USE PERMIT [T. WEST, C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 09-829, a proposed ordinance to permit the sales, service, and consumption of alcoholic beverages (beer and wine only) as an accessory use to live theaters with a minor Conditional Use Permit.*

RECOMMENDATION: Waive further reading and adopt Ordinance No. 09-829, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONE TEXT AMENDMENT 2008-001 AMENDING TITLE 19 OF THE ZONING ORDINANCE TO PERMIT THE SALES, SERVICE,

AND CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY) AS AN ACCESSORY USE TO LIVE THEATERS WITH A MINOR CONDITIONAL USE PERMIT.”

**2.H ORDINANCE NO. 09-830 (2<sup>ND</sup> READING), AMENDING THE REGULATIONS GOVERNING CONTRIBUTIONS TO MUNICIPAL ELECTION CAMPAIGNS FOR CITY COUNCIL OFFICES [T. WEST, C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 09-830, a proposed ordinance amending the regulations governing contributions to municipal election campaigns for City Council offices and amending the West Hollywood Municipal Code.*

RECOMMENDATION: Waive further reading and adopt Ordinance No. 09-830, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE REGULATIONS GOVERNING CONTRIBUTIONS TO MUNICIPAL ELECTION CAMPAIGNS FOR CITY COUNCIL OFFICES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.”

**2.I. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

*The City Council will receive reports from the Disabilities Advisory Board, Human Services Commission, Lesbian and Gay Advisory Board, Public Safety Commission and Transportation Commission on actions taken at their recent meetings.*

RECOMMENDATION: Receive and file.

**2.J. RESIGNATIONS FROM CITY COMMISSIONS, ADVISORY BOARDS, AND COMMITTEES [T. WEST. C. SCHAFFER]:**

*The City Council will accept the resignation of Lesbian and Gay Advisory Board Member Jimmy Palmieri, effective September 18, 2009.*

RECOMMENDATION: Accept with regret the resignation of Jimmy Palmieri from the Lesbian and Gay Advisory Board.

**2.K. TRANSGENDER ADVISORY BOARD [K. COOK. B. SMITH. D. ESCOBEDO, C. SCHAFFER]:**

*The City Council will receive a proposal from staff regarding the proposed board structure and implementation of the Transgender Advisory Board, including number of members and criteria for membership.*

RECOMMENDATIONS: 1) Approve the transition of the Transgender Task Force into the Transgender Advisory Board, to be comprised of seven (7) members to meet the first Wednesday of the month, at West Hollywood City Hall at 7:00 PM; 2) Rescind Resolution 09-3829 and adopt resolution 09-3908 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING THE ORGANIZATION OF THE CITY APPOINTED ADVISORY BOARDS; 3) Direct the City Clerk to notice and accept applications for the Transgender Advisory Board. The Transgender Task Force does not have consistent appointed members therefore application will need to be advertised; 4) Approve the

recommended bylaws of the Transgender Advisory Board; and 5) Authorize the Director of Finance to allocate \$2,100 (\$50 a member, 7 members for 6 months) from the unallocated General Fund reserves to 100-1-01-18-534112.

**2.L. LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (LACMetro) PROPOSITION A FUNDS AND THE CITYLINE TRANSIT SERVICES PROGRAM [L. LONG, D. DENNIS, J. ROONEY]:**

*The City Council will consider the approval of a one year agreement with the LACMTA for reimbursement of \$33,234 for the collection and reporting of National Transit Database (NTD) statistics for the CityLine transit services program.*

RECOMMENDATIONS: 1) Authorize the City Manager to execute an MOU agreement with the Los Angeles County Metropolitan Transit Authority (LACMetro) for a Proposition A Incentive Grant for the NTD reporting; and 2) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 203-422020 by \$33,234.

**2.M. HISTORIC RESOURCES UPDATE [A. MCINTOSH, J. KEHO, J. CHASE]:**

*This report is an update to the City Council on the pending historic nomination applications and the meeting held with affected property owners.*

RECOMMENDATION: Receive and File.

**2.N. REFORMING CALIFORNIA TOWN HALL FORUM [J. DURAN, H. MOLINA]:**

*The City Council will consider hosting a town hall forum discussion on the need to reform California.*

RECOMMENDATIONS: 1) Approve hosting of a town hall forum on November 10, 2009 at West Hollywood Park Auditorium focusing on California reform; and 2) Direct staff to assist with the coordination of the forum.

**2.O. CITY CO-SPONSORSHIP OF LOVE YOUR BODY DAY 2009 [C. PLANCK, L. FOOKS]:**

*The City Council will consider co-sponsoring the Hollywood Chapter of the National Organization for Women's Love Your Body Day to be held on October 24, 2009 at West Hollywood Park.*

RECOMMENDATIONS: 1) Approve the City of West Hollywood's co-sponsorship of Love Your Body Day with Hollywood's Chapter of the National Organization for Women (NOW) and the use of the City's name and logo on printed materials advertising the event; 2) Approve the use of West Hollywood Park by Hollywood NOW on Saturday, October 24, 2009 from 12 pm-4 pm; and 3) Direct staff to assist with the coordination and promotion of the event.

**2.P. BREAST CANCER AWARENESS MONTH EVENTS AND PROGRAMS [A. LAND, C. PLANCK L. HORVATH, I. PINE, L. ISENBERG]:**

*The City Council will receive information on the events and programs planned for Breast Cancer Awareness Month in October.*

RECOMMENDATION: Receive and file.

**2.Q. SUPPORT OF TRANSGENDER DAY OF REMEMBRANCE [K. COOK, B. SMITH, D. ESCOBEDO]:**

*The City Council will consider supporting the Transgender Day of Remembrance co-sponsored by the West Hollywood Transgender Task Force.*

RECOMMENDATIONS: 1) Direct staff to work with the West Hollywood Transgender Task Force to support the Day of Remembrance Event; 2) Approve a rolling street closure on Santa Monica Boulevard between Martel Avenue and Crescent Heights Boulevard on Thursday, November 20, 2009 from 5:00 PM to 8:00 PM to accommodate a march in honor of Day of Remembrance; 3) Approve a street closure on Crescent Heights between Santa Monica Boulevard and Norton Avenue on Thursday, November 20, 2009 from 4:00 pm to 8:00 pm to accommodate ceremony for the placing of the Transgender Memorial; and 4) Waive special event permit fees of \$800.

**2.R. SUPPORT H.R. 3567 (NADLER), THE REPEAL OF THE DEFENSE OF MARRIAGE ACT (DOMA) [L. HORVATH, I. PINE, J. DURAN, H. MOLINA]:**

*The City Council will consider adopting a resolution supporting HR 3567.*

RECOMMENDATIONS: Adopt Resolution No. 09-3909, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 3567 (NADLER), REPEAL OF THE DEFENSE OF MARRIAGE ACT – DOMA"; and 2) Direct staff to send copies of the adopted resolution to U.S. Representatives Henry Waxman, Jerrold Nadler, Senators Dianne Feinstein and Barbara Boxer, and Human Rights Campaign.

**2.S. ENDORSEMENT OF THE NATIONAL EQUALITY MARCH, OCTOBER 10-11, 2009, IN WASHINGTON, D.C. [L. HORVATH, I. PINE, L. LONG, J. BOOK]:**

*The City Council will consider endorsing Equality Across America's National Equality March, pursuing full equality for LGBT people in all matters governed by civil law in all 50 states.*

RECOMMENDATION: 1) Adopt Resolution No. 09-3910, "A Resolution of the City Council of the City of West Hollywood in support of endorsing the National Equality March, October 10-11, 2009, in Washington, D.C."; and 2) Direct staff to send copies of the adopted resolution to Congressman Henry Waxman, Senator Dianne Feinstein and Senator Barbara Boxer.

**2.T. OPPOSE QUESTION 1 IN MAINE'S ELECTION OF NOVEMBER 3, 2009 [L. LONG, J. BOOK]:**

*The City Council will consider adopting a resolution opposing Question 1 in the November 3, 2009, election in the State of Maine.*

RECOMMENDATION: Adopt Resolution No. 09-3911, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO QUESTION 1 IN THE NOVEMBER 3, 2009, ELECTION IN THE STATE OF MAINE."

**2.U. CO-SPONSORSHIP OF "RISE UP AND SHOUT! 2009, A BENEFIT FOR GAY YOUTH" [L. LONG, J. BOOK]:**

*The City Council will consider co-sponsoring "Rise Up and Shout! 2009, A Benefit for Gay Youth," to be held October 24, 2009, at the Barnsdall Gallery Theatre.*

RECOMMENDATION: Approve city co-sponsorship for the program "Rise Up and Shout! 2009, A Benefit for Gay Youth."

**2.V. SPONSORSHIP OF 'REMOVING THE BARRIERS' WORKSHOP [A. LAND, C. PLANCK, T. MANDEL]:**

*The City Council will consider sponsoring a "Removing the Barriers" workshop for community members and healthcare professionals regarding the care and services of lesbian, bisexual and transgendered women in health care settings.*

RECOMMENDATION: The City will host the "Removing the Barriers" workshop at Plummer Park on October 14, 2009.

**3. PUBLIC HEARINGS:**

**3.A. AMENDMENT OF CONDITIONAL USE PERMIT TO EXTEND HOURS OF OPERATION OF NIGHTCLUB AT 8811 SANTA MONICA BOULEVARD (ELEVEN) [A. MCINTOSH, J. KEHO, C. CORRAO]:**

*The City Council has requested to review the Planning Commission approval of an amendment to Conditional Use Permit 005-001 for the nightclub known as Eleven, to extend the hours of operation. The subject site is located at 8811 Santa Monica Boulevard.*

RECOMMENDATION: Adopt resolution No. 09-\_\_\_: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPHOLDING THE PLANNING COMMISSION'S ACTION APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT 005-001, A REQUEST TO EXTEND HOURS OF OPERATION IN A NIGHTCLUB, FOR THE PROPERTY LOCATED AT 8811 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA. (ELEVEN)" (Attachment A)

**4. UNFINISHED BUSINESS: None**

**5. NEW BUSINESS:**

**5.A. AMEND AGREEMENT FOR SERVICES WITH LILLEY PLANNING GROUP INC. FOR PERMIT TECHNICIAN SERVICES IN THE BUILDING AND SAFETY DIVISION [A. MCINTOSH, S. BAILEY]:**

*The City Council will consider approving an Amendment of the Agreement for Services with Lilley Planning Group Inc. to provide ongoing Permit Technician services for the Community Development Department, Building and Safety Division.*

RECOMMENDATIONS: 1) Approve the Amended Agreement for Permit Technician Services with Lilley Planning Group Inc., increasing the \$175,000 amount by an additional amount not-to-exceed sixty thousand dollars (\$60,000) for Building and Safety services in the Building and Safety Division. Total Contract = \$235,000; 2) Authorize the City Manager to sign the agreement; and 3) Authorize the Director of Finance to appropriate \$60,000.00 from unallocated reserves in the General Fund to account 100-3-07-76-531004.

**5.B. ADVISORY BOARD TASK FORCE [V. LOVE, T. WEST]:**

*The City Council will consider establishing an Advisory Board Task Force of Council Members and staff to review the organizational structure of the City's Advisory Boards.*

RECOMMENDATION: Establish an Advisory Board Task Force that will consist of two City Councilmembers, the City Manager, the City Attorney and the City Clerk to review the missions, by-laws, policies and procedures of the City Advisory Boards and provide recommendations within 90 days.

**EXCLUDED CONSENT CALENDAR:** Items removed from the Consent Calendar for separate discussion are considered at this time.

**PUBLIC COMMENT:** This time is set aside for the public to address the Council on any item of interest within the subject matter jurisdiction of the Council that could not be heard under Item 1 at the beginning of the meeting.

**6. LEGISLATIVE: None**

**COUNCILMEMBER COMMENTS:** Additional general comments, announcements, requests of staff and/or other issues of concern to Councilmembers are briefly presented at this time.

**ADJOURNMENT:** The City Council will adjourn to their next regular meeting, which will be on Monday, October 19, 2009 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
October 19	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 2	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 16	Monday	6:30 PM	Joint Session with the Planning Commission	W.H. Park Aud.
December 7	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL  
 CITY OF WEST HOLLYWOOD  
 CLOSED SESSION AGENDA  
 MONDAY, OCTOBER 5, 2009  
 6:00 P.M.**

**WEST HOLLYWOOD PARK AUDITORIUM, STUDIO ROOM**

**CONFERENCE WITH LEGAL COUNSEL**

The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matters will prejudice the position of the City in existing and anticipated litigation.

**1. PENDING LITIGATION.....G.C. 54956.9(a)**

Save Tara v. City of West Hollywood  
 Los Angeles Superior Court Case No. BS 090402

**2. THREATENED LITIGATION..... G.C. 54956.9(b)**

Two cases